

**MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD AT THE RUTHERFORD COUNTY OFFICE BUILDING IN THE COUNTY COMMISSIONERS' MEETING ROOM ON APRIL 2, 2007 AT 6:00 P.M.**

**PRESENT: CHIVOUS BRADLEY, CHAIRMAN  
PAUL MCINTOSH, VICE CHAIRMAN  
MARGARET HELTON  
CHARLES HILL  
BRENT WASHBURN**

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**CALL TO ORDER\ADOPTION OF AGENDA**

Chairman Bradley called the meeting to order and asked for a motion to approve the agenda as amended. Commissioner Hill made a motion to adopt the amended agenda. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

**INVOCATION/PLEDGE OF ALLEGIANCE**

Mr. Mike Dalton gave the invocation. Vice Chairman McIntosh led in the Pledge of Allegiance.

**PUBLIC HEARING/FINANCING/RUTHERFORD 74 CORPORATE CENTER**

The County Manager reported to the Board of Commissioners that notice of a public hearing to receive public comments on the proposed execution and delivery by the County of (a) an Installment Financing Contract to pay the capital costs of (1) site preparation of land owned by the County to be developed as an industrial park, (2) capital expenses ancillary thereto, and (3) professional services associated with the development of the industrial park (collectively, the "*Projects*") and (b) a Deed of Trust and Security Agreement to create a security interest in the real property improved and purchased in conjunction with the Projects (the "*Sites*") and any improvements thereon (together with the Sites, the "*Premises*") was published on March 16, 2007 stating that the Board of Commissioners would hold a public hearing thereon on April 2, 2007 at 6:00 p.m.

The Chairman of the Board declared the public hearing open and announced that the public hearing notice stated that the Board of Commissioners would consider approving the proposed Installment Financing Contract for the principal amount not to exceed \$1,615,000.

The Chairman of the Board then announced that the Board of Commissioners would hear anyone who wished to be heard.

Manager Condrey described the process by which Rutherford County will obtain financing in the amount of \$1,615,000 for site preparation at Rutherford 74 Corporate Center, mainly for grading,

No one else wished to speak.

Commissioner McIntosh moved that the public hearing be closed. The motion was seconded by Commissioner Washburn and was unanimously adopted.

<b>ANNIVERSARY/RUTHERFORD COUNTY</b>
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Chairman Bradley read excerpts of a letter from Nancy Ellen Ferguson, county historian, marking the anniversary of the 1868 action by the NC General Assembly establishing the system of governance under boards of commission in each county. The first meeting of the Board of County Commissioners in Rutherford County was on August 3, 1868.

<b>PUBLIC COMMENTS</b>
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Chairman Bradley opened the floor for public comments.

Ms. Janine Noble, a resident of Lake Lure and representative of the Hickory Nut Gorge Taxpayers Group, spoke about the increases in property values for homeowners in the Lake Lure area. She said she and her husband are retired and living on a fixed income. She feels that the increases in property values may force them to leave because they can no longer afford to live there.

Mr. Harvey Harris, also a resident of Lake Lure and a member of the Hickory Nut Gorge Taxpayers Group, described the purposes for which the group has been founded: (1) to provide information, (2) to provide technical assistance, (3) to promote a fair, equitable and uniform appraisal, and (3) to express concern about the 2007 tax rates. He said the taxpayers in Lake Lure want to play a positive role in the process.

Ms. Joy Williams, who lives in Henderson County but owns a house in Lake Lure, said her father bought the property in 1940. Following a recent storm she attempted to repair the damage, but was not allowed to enlarge the house, and so it remains as small as before. She said her family would be very disappointed to have to dispose of the property. Also, people who live in Lake Lure full time should be able to afford to live there.

Mr. Bob Keith, who lives in Lake Lure and is president of the Lake Front Property Owners Association, said a number of the association's members say they cannot afford to live there because of the increase in property taxes. He advocated a search for solutions and cited the process of land transfers which artificially increases the apparent value of property.

Mr. Chuck Ross said he has lived at Lake Lure for ten years. He objected to the method of determining property values, where the sale of a few properties in a neighborhood drives the assessment of the other properties up. He urged the Commissioners to lower the tax rate.

Chairman Bradley commented that it is required by the state that counties revalue properties every few years and that this valuation has to be based on fair market value. He suggested that property owners who feel their assessment is unfair should file an appeal with the E&R Board. He

also said the Commissioners would be looking at the tax rate during the budget process, and he anticipated that they should be able to lower the rate.

### **CONSENT AGENDA**

Commissioner Hill made a motion to approve the consent agenda. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

### **Minutes**

By consent, the minutes of the March 5, 2007 meeting were approved.

### **Tax Refunds and Releases**

By consent, tax refunds of \$432.57 and tax releases greater than \$100 totaling \$7,419.68 as outlined by Tax Administrator Johnson were accepted. Tax releases of amounts less than \$100, which totaled \$3,650.50, were submitted by the Finance Office. (A copy of these tax refunds and releases is in the Minute Book.)

### **APPOINTMENTS**

Chairman Bradley read the names of persons who have met the qualifications as set by the Board of Commissioners to be appointed to Rutherford County boards and commissions.

Vice Chairman McIntosh made a motion that the recommended appointments be approved. Commissioner Hill seconded the motion. The motion was unanimously agreed to.

The appointments so made were:

Nursing Home Advisory Committee—Ms. Barbara Sane

SWEEP---Mr. Frank Chyz

Home and Community Care Block Grant Committee—Ms. Marion Michalove

Mountain Valleys RC&D Council—Mr. Clint Calhoun, replacing Mr. Bill Booth, Jr., who has resigned

CJPP Board—Karen Long, Jeff Appling, Cheryl Modlin and John Condrey

CJPP TASC Conselor—Olivia Burleson, replacing Krista Kuykendall

### **AUDIT CONTRACT**

Ms. Julie Scherer of the Finance Office presented a proposal from Gould Killian CPA Group for a three-year contract renewal. The contract fee would increase from \$49,500 this year to \$53,000 next year, which she said was in line with other counties comparable to the size of Rutherford. In addition, CPAs will have to meet new requirements that will require additional time.

Vice Chairman McIntosh made a motion to approve the three-year contract renewal with Gould Killian CPA Group. Commissioner Hill seconded the motion. The motion was unanimously approved.

<b>BIDS/AMBULANCE/EMERGENCY SERVICES</b>
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Manager Condrey presented a bid for the purchase of an ambulance for \$99,991. This is in excess of the budgeted amount of \$96,000 allocated for the ambulance purchase. However, he noted that other items in the lease purchase budget have been under budget, with the result that sufficient funds are available.

Commissioner Hill made a motion to approve the purchase from Northwestern Emergency Vehicles of a Type III 2007 ALS Ambulance for \$99,991. Commissioner Washburn seconded the motion. The motion was unanimously approved.

<b>BUDGET AMENDMENTS</b>
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Ms. Paula Roach of the Finance Department presented and explained the budget amendments.

Commissioner Hill made a motion to approve the budget amendments. Commissioner Washburn seconded the motion. The motion was unanimously approved.

Budget Amendments April 2, 2007			
		Expense	Revenue
<b>GENERAL FUND</b>			
Sheriff - Maintenance to Vehicles		\$ 4,190	
Insurance Claims and Dividends			\$ 4,190
Sheriff - Canine Supplies		\$ 4,454	
Aramark Commissions			\$ 4,454
Sheriff - Helicopter Fund		\$ 1,000	
Sheriff - Road Patrol Uniforms/Equipment		\$ 452	
Drug Seizure/Controlled Substance Tax Distribution			\$ 1,452
Contribution to DSS - County Match for Special Adult Day Care		\$ 1,415	
Fund Balance Appropriated			\$ 1,415
<b>DSS FUND</b>			
Special Adult Day Care Expenses		\$ 11,317	

Special Adult Day Care Revenues		\$ 9,902
Contribution from General Fund for Programs		\$ 1,415
Capital Outlay-Vehicles	\$ 44,312	
Foster Care Expense	(44,312)	
Aid to Administration		\$ 25,800
Foster Care Revenue		(25,800)

#### **GDS /CONTRACT/RECYCLING**

Manager Condrey presented a proposal from GDS for an early renewal of their contract that is due to expire in June 2008. The new contract would include a five-year term with a five-year renewal. The monthly fee would be reduced by \$500, resulting in a \$6,000 savings per year to the county. GDS has plans for capital improvements and a larger flow of waste material. They will continue to pay 5% to the county for all out-of-county recyclables.

Commissioner Washburn made a motion to approve the \$7,500 per month contract with Republic Services of NC LLC d.b.a. GDS for the processing of recyclable material. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

#### **LEASE FOR EDC OFFICE**

Mr. Tom Johnson, Executive Director of the Economic Development Commission, had advised that the new owners of the building that houses the EDC offices have requested that the space be vacated in advance of the expiration of the lease and have offered a partial payment toward new space if the office is vacated by mid-April. Suitable space for the EDC office has been found in a building across the street from the present location.

Commissioner Washburn made a motion to approve the lease agreement for space for the EDC office at 142 East Main Street, Forest City. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

#### **COMPLAINTS/UNSIGHTLY SITES**

Chairman Bradley discussed the various complaints that Commissioners receive about litter and possible unsanitary conditions at certain home sites in the county. Several county agencies have investigated a house on Maple Creek Road. Manager Condrey said that a nonprofit organization might be able to help the homeowner, although it is not clear that the owner is motivated to make any improvements. He also reported that the group of county agencies will research what other counties are doing in the area and will report their findings to the Commissioners.

**SINGLE FAMILY REHABILITATION PROJECT/FUNDING AGREEMENT/ASSISTANCE POLICY**

Manager Condrey advised that funding has been received from the NC Housing Finance Agency for the Rutherford Single Family Rehabilitation Project. He presented the Funding Agreement, along with the Assistance Policy that will govern the program.

Vice Chairman McIntosh made a motion to approve the Funding Agreement and Assistance Policy for the 2007 Single Family Rehabilitation project. Commissioner Hill seconded the motion. The motion was unanimously approved.

**RESOLUTION/DAVIE COUNTY/LITTER/LANDFILL**

Chairman Bradley called attention to a copy of a resolution from Davie County requesting authorization from the NC General Assembly for a local sales tax in their county to be used for public school capital projects. He also noted the Litter Sweep roadside cleanup by the NC Department of Transportation on April 14-28, 2007, and he encouraged community groups to participate.

Manager Condrey explained that the notice in the newspaper about the landfill concerns demolition and debris disposal and does not affect other operations of the landfill.

**ADJOURNMENT**

Chairman Bradley declared the meeting adjourned.

Adjournment at 6:48 p.m.

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Chairman, Board of Commissioners

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Vice Chairman, Board of Commissioners

Attest:

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Clerk, Board of Commissioners